



UNITED STATES DEPARTMENT OF COMMERCE  
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Washington, D.C. 20231



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
392,403	07/15/97	MURPHY	B 17634-000511

0232/0925  
JENSEN AND JENSEN AND CSM  
1401 EMBARCADERO CENTER  
2TH FLOOR  
SAN FRANCISCO CA 94111

NOT ASSIGNED

DATE MAILED: 1815

09/25/97

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130.00 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 2794.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 1874.00, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.  
☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

10/17/1997 JTIIPETT 00000021 D0# 201430 08852403  
01 EC:101 790.00 CH  
02 EC:102 246.00 CH  
03 EC:103 1012.00 CH  
04 EC:104 270.00 CH  
05 EC:105 130.00 CH

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D. C. 20231 on October 2, 1997.

TOWNSEND and TOWNSEND and CREW LLP  
By Kim M. Hoplen

PATENT

Attorney Docket No. 17634-000510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
Brian R. Murphy et al.	)	Examiner: Not Assigned
	)	
Serial No. 08/892,403	)	Art Unit: 1815
	)	
Filed: July 15, 1997	)	
	)	
For: PRODUCTION OF ATTENUATED	)	RESPONSE TO NOTICE TO FILE
RESPIRATORY SYNCYTIAL	)	MISSING PARTS
VIRUS VACCINES FROM CLONED	)	
NUCLEOTIDE SEQUENCES	)	
	)	

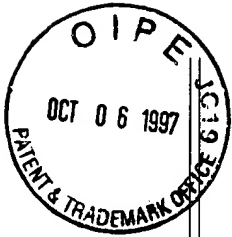
Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application dated September 25, 1997, enclosed herewith are the following to be made of record in the above-identified patent application:

- (1) Declaration and Power of Attorney
- (2) Copy of the Notice to File Missing Parts
- (3) Response to Request Under 37 CFR 1.821(e).

The Commissioner is hereby authorized to charge the following fees:



Missing Parts Surcharge.....\$ 130  
Basic Filing Fee.....\$ 790  
Total 66 - 20 = 46 x 22..... 1,012  
Independent 6 - 3 = 3 x 82..... 246  
Multiple Dependent Claim Fee..... 270


Total.....\$2,448

and any additional fees under 37 CFR §1.17 associated with this paper or during the pendency of this application, to Townsend and Townsend and Crew LLP Deposit Account No. 20-1430. Two copies of this sheet are enclosed for accounting purposes.

Respectfully submitted,

Dated: October 2, 1997

By:

  
Jeffrey J. King  
Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Fl.  
San Francisco, CA 94111-3834  
(206) 467-9600

JJK/kg

Enclosures:

Postcard  
2 copies of this response  
Declaration and Power of Attorney  
Copy of Notice to File Missing Parts  
Response to Request Under 37 CFR 1.821(e)

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PATENT APPLICATION  
FILING ACKNOWLEDGMENT

EXPRESS MAIL NO.  
EH314450780US

Mailing Date: July 15, 1997

File No.: 17634-000510 Attorney: SWP

Inventor(s): Brian R. Murphy et al.

Title: PRODUCTION OF ATTENUATED RESPIRATORY SYNCYTIAL VIRUS  
VACCINES FROM CLONED NUCLEOTIDE SEQUENCES

       Declaration        Power of Attorney

  X   Combined Declaration & Power of Attorney

       Assignment        Small Entity Decl.

No. Pages of Description: 186

No. Pages of Appendix: Sequence 19

No. Pages of Claims: 8

No. Pages of Abstract: 1

No. Sheets of Drawings: 24

Microfiche Appendix:       

Sequence Listing Diskette

Please stamp the date of receipt of the enclosed documents and return this card to addressee

64181 U.S. PTO

08/892403



07/15/97

TOWNSEND and TOWNSEND and CREW, LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111  
(206) 467-9600

Atty. Docket # 17634-000510

"Express Mail" Label No. EH314450780US

Date of Deposit July 15, 1997

**PATENT APPLICATION -- BOX SEQUENCE**  
**COMMISSIONER OF PATENT AND TRADEMARKS**  
Washington, D. C. 20231

Sir:

Transmitted herewith for filing is the [ ] patent application,  
[X] continuation-in-part patent application of USSN 60/047,634,  
filed May 23, 1997, USSN 60/046,141, filed May 9, 1997,  
and USSN 60/021,773, filed July 15, 1996

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D. C. 20231

By   
Reg # 38,515

Inventors: Brian R. Murphy, Peter L. Collins, Stephen S. Whitehead, Alexander A. Bukreyev, Katalin Juhasz, and Michael N. Teng

For: PRODUCTION OF ATTENUATED RESPIRATORY SYNCYTIAL VIRUS VACCINES FROM CLONED NUCLEOTIDE SEQUENCES

Enclosed are:

- [X] \_\_\_\_\_ sheet(s) of [ ] formal [X] informal drawing(s).  
[ ] An assignment of the invention to \_\_\_\_\_  
[X] A [ ] signed [X] unsigned Declaration & Power of Attorney.  
[ ] A [ ] signed [ ] unsigned Declaration.  
[ ] A Power of Attorney by Assignee with Certificate Under 37 C.F.R. Section 3.73(b).  
[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.  
[ ] A certified copy of a \_\_\_\_\_ application.  
[X] ASCII Computer Disk Sequence. Pursuant to 37 CFR 1.821(f) and (g), it is believed that the content of the paper sequence listing and the computer readable sequence listing are the same.

In view of the Unsigned Declaration as filed with this application and pursuant to 37 CFR §1.53(d), Applicant requests deferral of the filing fee until submission of the Missing Parts of Application.

DO NOT CHARGE THE FILING FEE AT THIS TIME.

2 copies of this sheet are enclosed.

Telephone:  
(206) 467-9600  
I:\17634\US1\APP.TRN

Respectfully submitted,  
TOWNSEND and TOWNSEND and CREW, LLP



Steven W. Parmelee  
Reg. No.: 31,990  
Attorneys for Applicant